

Remarks

Claims 1-32 are pending in the application prior to this amendment.

Claims 19-32 are rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention.

Claims 1-24 are rejected on the ground of nonstatutory obvious-type double patenting as being unpatentable over claims 1-22 of U.S. 6,625,142.

Claim 25 is rejected under 35 U.S.C. 102(b) and (e) as being anticipated by Agraharam et al. (U.S. Patent No. 6,085,231) or Berkley et al. (U.S. Patent No. 6,546,005).

Claims 26-31 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, 2nd paragraph, set forth in this Office Action and to include all of the limitations of the base claim and any intervening claims.

Claim 32 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, second paragraph, set forth in this office action.

The applicants amend claims 19, 25-26, and 32.

Claims 1-32 remain in the application.

The applicants add no new matter and request reconsideration.

Claim Rejections- 35 U.S.C. § 112

Claims 19-32 are rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness.

Claims 19, 25, and 32 are amended to require that the received voice message is manipulated or edited *according to commands from the telephone user*. Specification, page 4, lines 28-30.

The “received voice messages” recited in claim 19 refers to the received voice message in line 10. The “received voice messages” recited in claim 25 refers to the received voice message in line 7. The same can be said for the “received voice messages” recited in claim 32.

The term “manipulating” and “editing” recited in claims 19, 25, and 32 refer to manipulating or editing the voice message according to commands from a telephone user (the person who leaves the message) regarding actions to be taken on the voice message. For example, the telephone user may wish for the voice message to be distributed to a number of recipients, to be edited in a certain manner, to be played back to the user, to be fast-forwarded, to be recorded or delivered to the recipient at a later-specified time. See Specification, page 4, lines 28-30, and page 5, lines 1-5.

Allowable Subject Matter

Claim 26 is rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Claim 32 is amended to overcome the rejections under 35 U.S.C. § 112, 2nd paragraph. Therefore, claims 26-32 are in condition for allowance.

Non-Statutory Obviousness-Type Double Patenting

A terminal disclaimer is presented to obviate the double patenting rejection. Therefore claims 1-24 are in condition for allowance.

Claim Rejections- 35 U.S.C. § 102

Claim 25 is rejected under 35 U.S.C. § 102(b)/(e) as anticipated by Agraharam or Berkley.

Agraharam teaches that a subscriber to an alias telephone number email system can retrieve both their voice-mail messages and e-mail messages by accessing only the email system. See Abstract. Specifically, if the called party is determined to be a subscriber to such system, the

network-based voice-mail system converts the stored voice mail message into a text or a .WAV file and includes the converted message in an email message address to the called party/subscriber's alias telephone number email address for transmission over the Internet. See Abstract.

Agraharam does not mention or suggest editing the voice message according to commands from the telephone user, where the telephone user is one who initiates the voice communication or simply put, a caller who leaves the voice mail message. Agraharam teaches how a called party or subscriber can retrieve the voice message that a caller leaves for him/her. Agraharam does not disclose anything about editing the voice message according to commands from the caller. Therefore, claim 25 is in condition for allowance.

Berkley teaches an Active User Registry (AUR) system which has the ability to negotiate among communication options between a subscriber's (the caller) requested preference and the user's (the called party) preference. See Col. 5, lines 39-41. For example, if the subscriber/caller prefers to send a voice message to the user, while the user prefers to receive email, the AUR system could accept the voice message from the subscriber/caller and convert the voice message to an electronic messages using one of the well-known techniques. See Col. 12 lines 66-67, Col. 13 lines 1-5. Berkley's "subscriber" has the same meaning as the term "telephone user" recited in claim 25, which they both mean the calling party. See Col. 5, lines 30-35.

Berkley does not edit the received voice message according to commands from the telephone subscriber/caller. Berkley does no more than converting the message in one type of communication form to a different form depends on the called party's preference at the receiving end. As such, claim 25 is in condition for allowance.


Conclusion

For the foregoing reasons, reconsideration and allowance of claims 1-32 of the application as amended is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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CLAIMS AS AMENDED					
For:	Number After Amendment	Previous Number	Extra	Rate	Additional Fee
Total Claims	32	32*		x \$50 =	\$ -0-
Independent Claims	3	3**		x \$200 =	\$ -0-
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$ -0-

*greater of twenty (20) or number for which fee has been paid

**greater of three (3) or number for which fee has been paid

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